

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application/Request Number 09/127,149	
CLAIMS AS FILED – PART I						
(Column 1)		(Column 2)		SMALL ENTITY		OR
FOR	NUMBER FILED	NUMBER EXTRA		RATE	FEE	
BASIC FEE (37 CFR 1.16(a))					\$	
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 =			X \$		
INDEPENDENT CLAIMS (37 CFR 1.16(d))	minus 3 =			X \$		
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(e))				\$		
				TOTAL		
* If the difference in column 1 is less than zero, enter "0" in column 2.						
CLAIMS AS AMENDED – PART II						
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE
	Total (37 CFR 1.16(c))	82	Minus	85		X \$
	Independent (37 CFR 1.16(d))	3	Minus	5		X \$
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(e))				\$	
					TOTAL ADDL FEE	
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE
	Total (37 CFR 1.16(c))	72	Minus	85		X \$
	Independent (37 CFR 1.16(d))	10	Minus	5		X \$
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(e))				\$	
					TOTAL ADDL FEE	
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE
	Total (37 CFR 1.16(c))	72	Minus	85		X \$
	Independent (37 CFR 1.16(d))	10	Minus	10		X \$
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(e))				\$	
					TOTAL ADDL FEE	
<p>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.</p> <p>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".</p> <p>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".</p> <p>The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.</p>						

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of: WARD Confirmation Number: 2803
Application No.: 09/427,149 Group Art Unit: 3623

Filed: October 25, 1999 Examiner: B. Van Doren

Title: AUTOMATED CARE PROCESS MANAGEMENT SYSTEM

REQUEST FOR RECONSIDERATION

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P.O. Box 1450
Alexandria, VA 22313-1450

Responding to the Advisory Action dated October 12, 2005, Applicant respectfully requests reconsideration of the claims as amended in the After Final Amendment dated September 28, 2005, based on discussions during the telephone interview with the Examiner on October 27, 2005.

The claims presented in the After Final Amendment are restated below. The Remarks begin on page 24.

WARD - 09/427,149
Client/Matter: 073618-0259567

REMARKS

Applicant wishes to thank the Examiner for the interview held today, October 27, 2005, discussing the topics mentioned herein.

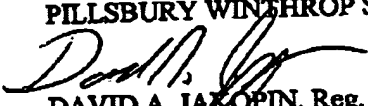
The Examiner had objected to claims 9 and 96 as raising new issues. With respect to claim 9, Applicant indicated to the Examiner that claim 9 was a method claim having certain similarities with apparatus claim 49. Apparatus claim 49 had been allowed, without containing the subject matter limitations described in method claims 4 and 5 (i.e., apparatus claims 44 and 45 were not within the chain of claim 49). Accordingly, Applicant asserts that claim 9 as written does not raise new issues, and, during the interview, the Examiner indicated agreement as well.

With respect to claim 96, Applicant's Remarks in the After Final Amendment dated September 28, 2005 mistakenly referred to new claim 96 as including the allowable subject matter from claim 78, whereas the remarks should have said that new independent claim 96 includes the allowable subject matter from claim 79. As such, method claim 96, which has certain similarities with apparatus claim 82, should be allowable and does not raise new issues.

In view of the above, it is believed that the claims submitted in Applicant's After Final Amendment dated September 28, 2005 are in condition for allowance and such a notice is respectfully requested.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975.

Date: October 27, 2005

Respectfully submitted,
PILLSBURY WINTHROP SHAW PITTMAN LLP

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CERTIFICATION UNDER 37 C.F.R. §§ 1.8 and/or 1.10*

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I hereby certify that, on the date shown below, this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the Patent and Trademark Office. (571) 273-8300.


Kathleen M. Smith

Date: October 27, 2005